

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TANDBERG TELECOM AS,

Plaintiff,

v.

AVISTAR COMMUNICATIONS
CORPORATION,

Defendant.

Case No. 2:06-CV-0040-TJW

STIPULATION OF DISMISSAL, WITH PREJUDICE

The parties hereto, TANDBERG TELECOM AS (“Tandberg”) and AVISTAR COMMUNICATIONS CORPORATION (“Avistar”), through their respective undersigned counsel, having amicably resolved their differences, hereby stipulate to a dismissal of all claims and counterclaims in this action with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii). Each party shall bear its own costs and attorneys' fees.

Stipulated and Agreed:

Dated: February 15, 2007

BROWN McCARROLL

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this **STIPULATION OF DISMISSAL WITH PREJUDICE** was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by facsimile on this the 15th day of February, 2007.

/s/ John F. Bufe

John F. Bufe